

Message Text

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TAGS:EEC,SHUM
SUBJECT: EC FOREIGN MINISTERS COUNCIL APRIL 5, 1977: DECLARATION ON
HUMAN RIGHTS

REF: (A)EC BRUSSELS 2261 (NOTAL); (B)EC BRUSSELS 2070
(NOTAL)

1.THE JOINT DECLARATION OF THE EUROPEAN PARLIAMENT, THE
EC COUNCIL,AND THE EC COMMISSION ON THE PROTECTION OF
HUMAN RIGHTS (SEE REFTELS)WAS FORMALLY SIGNED IN LUXEMBOURG
ON APRIL 5 BY EMILO COLOMBO,PRESIDENT OF THE PARLIAMENT;
U.K.FOREIGN SECRETARY DAVID OWEN (THE COUNCIL PRESIDENT)
AND COMMISSION RESIDENT ROY JENKINS.FOLLOWING IS TEXT
OF THE DECLARATION:

2.BEGIN TEXT: THE EUROPEAN PARLIAMENT,THE COUNCIL AND
THE COMMISSION,

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3.WHEREAS THE TREATIES ESTABLISHING THE EUROPEAN COMMUNITIES ARE
BASED ON THE PRINCIPLE OF RESPECT FOR THE LAW;

4.WHEREAS,AS THE COURT OF JUSTICE HAS RECOGNIZED,
THAT LAW COMPRISES,OVER AND ABOVE THE REGULATIONS
EMBODIED IN THE TREATIES AND SECONDARY COMMUNITY

LEGISLATION, THE GENERAL PRINCIPLES OF LAW AND
IN PARTICULAR THE FUNDAMENTAL RIGHTS, PRINCIPLES
AND RIGHTS ON WHICH THE CONSTITUTIONAL LAW OF THE MEMBER STATES IS
BASED

5. WHEREAS, IN PARTICULAR, ALL THE MEMBER STATES
ARE CONTRACTING PARTIES TO THE EUROPEAN CONVENTION
FOR THE PROTECTION OF HUMAN RIGHTS AND FUNDAMENTAL
FREEDOMS SIGNED IN ROME ON 4 NOVEMBER 1950,

6. HAVE ADOPTED THE FOLLOWING DECLARATION:

7. -- THE EUROPEAN PARLIAMENT, THE COUNCIL AND THE
COMMISSION STRESS THE PRIME IMPORTANCE THEY ATTACHE
TO THE PROTECTION OF FUNDAMENTAL RIGHTS, AS DERIVED
IN PARTICULAR FROM THE CONSTITUTIONS OF THE MEMBER
STATES AND THE EUROPEAN CONVENTION FOR THE PROTECTION
OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS.

8. -- IN THE EXERCISE OF THEIR POWERS AND IN PURSUANCE
OF THE AIMS OF THE EUROPEAN COMMUNITIES THEY RESPECT AND
WILL CONTINUE TO RESPECT THESE RIGHTS. END TEXT.

9. THE THREE CO-SIGNERS DELIVERED BRIEF REMARKS AFTER
THE CEREMONY, FULL TEXT OF WHICH WILL BE POUCHED TO
DEPARTMENT (EUR/RPE AND D/HA). FOLLOWING ARE
SIGNIFICANT EXERPTS:

A. COLOMBO: " THE DECLARATION IS NOT AN
END IN ITSELF BUT SHOULD BE CONSIDERED THE FIRST
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ELEMENT OF A CODE/.. FOR THE PROTECTION OF HUMAN RIGHTS
IN THE EUROPEAN COMMUNITIES, TAKING INTO CONSIDERATION
THE CIVIC, POLITICAL, ECONOMIC, AND SOCIAL RIGHTS OF
THE CITIZENS OF THE EC MEMBER STATES."

B. OWEN: " AT A TIME WHEN THE WHOLE WORLD
IS TAKING AN INCREASING INTEREST IN FUNDAMENTAL
RIGHTS AND HUMAN RIGHTS, IT SEEMS PARTICULARLY
APPROPRIATE THAT THE COMMUNITY, WITH A LONG TRADITION
OF SAFEGUARDING HUMAN RIGHTS, SHOULD BE SIGNING SUCH
AN AGREEMENT."

C. JENKINS, IN HIS REMARKS, OFFERED AN
INDIRECT REMINDER TO THOSE GOVERNMENTS SEEKING
ACCESSION TO THE EC THAT THEY TOO HAVE HUMAN RIGHTS
STANDARDS TO MAINTAIN: " THE DECLARATION'S AIM GOES TO
THE HEART OF THE BASIS ON WHICH THE COMMUNITY IS
FOUNDED. ALTHOUGH PRIMARILY CONCERNED WITH COOPERATION
BY ECONOMIC MEANS, THE COMMUNITIES, AND THE TREATIES
ON WHICH THEY ARE BASED, HAVE AS THEIR ORIGIN A DETERMINATION

TO SECURE AND ENHANCE INDIVIDUAL FREEDOM
UNDER THE LAW.IT IS RIGHT TO REAFFIRM THIS BASIC
PRINCIPLE BOTH IN THE TWENTIETH ANNIVERSARY YEAR OF
THE TREATY OF ROME AND IN THE LIGHT OF THE APPLICATONS
FOR MEMBERSHIP FROM THOSE COUNTRIES WHOSE MOVEMENT
TO DEMOCRACY WE HAVE A DUTY TO SUSTAIN."
HINTON

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